

RECEIVED  
CENTRAL FAX CENTER

JUL 12 2006

REMARKS

Claims 1-34 are pending in this Application and stand rejected. Claims 35-37 have been cancelled. In view of the following remarks, the Applicant respectfully requests the Examiner's thoughtful reconsideration.

**CLAIM REJECTIONS – 35 USC §103:**

Claims 1-34 were rejected as being unpatentable over USPN 2001/0053947 to Lenz in view of USPN 6,463,229 issued to Takuwa.

**Claim 1** recites a method of relieving competition between processing jobs sharing a production device and recites the following steps:

- a. accessing from a user's browser a destination service representing at least one production device;
- b. retrieving said user's imaging information by said destination service;
- c. selecting among production options provided by said destination service for a processing job to process said imaging information using said at least one production device;
- d. estimating the time duration required to process said processing job using said production device with said selected production options;
- e. and comparing said estimated time duration with a previously determined threshold time duration, such that:
- f. if said estimated time duration exceeds said previously determined threshold time duration, then disabling processing of said processing job by said production device; otherwise
- g. if said estimated time duration does not exceed said previously determined threshold time duration, then enabling processing of said processing job by said production device.

With respect to steps d through g, The Examiner makes the following contentions:

10/001,574  
Docket No. 10008249-1  
Response to Office Action  
Page 8

- Lenz, paragraph [0027] teaches estimating the time duration required to process said processing job using said production device with said selected production options;
- Lenz does not teach or suggest steps e through g;
- Takuwa, col. 4, lines 27-33 teaches step f; and
- Takuwa, col. 4, lines 11-16 teaches step g.

It is initially noted that the Examiner fails to address step e. The Examiner admits that Lenz fails to teach or suggest "comparing said estimated time duration with a previously determined threshold time duration." Yet, the Examiner does not assert that Takuwa teaches this step. For this reason alone, the rejection is defective.

Furthermore, Takuwa does not teach or suggest comparing said estimated time duration with a previously determined threshold time duration, such that (f) if said estimated time duration exceeds said previously determined threshold time duration, then disabling processing of said processing job by said production device; otherwise (g) if said estimated time duration does not exceed said previously determined threshold time duration, then enabling processing of said processing job by said production device.

To help explain the Examiner's misunderstanding, the paragraphs containing the passages from Takuwa relied upon by the Examiner are reproduced below:

FIG. 3 is a plane view of an operation panel provided on the image forming apparatus of FIG. 1.

Referring to the drawing, the operation panel is provided with a start key 201 for starting an operation, a ten-key pad 202 for inputting numbers such as the copy number, clear key 203 for erasing image data stored in the image memory 30 by clearing the input numeric values, stop key 204 for stopping an operation, panel reset key 205 for canceling a set job and mode, liquid crystal display (LCD) 206 for displaying the various modes, and an exclusive use time setting key 210 for setting the upper limit value (threshold) of the exclusive use time (also referred to as "print time") for printing a single job.

A touch panel is mounted on the front of the liquid crystal display 206, to allow a user to perform input operation in accordance with the display of the liquid crystal display 206.

FIG. 4 shows a screen displayed on the liquid crystal display 206 after the exclusive use time setting key 210 of FIG. 3 has been pressed.

10/001,574  
Docket No. 10008249-1  
Response to Office Action  
Page 9

***Referring to the drawing, the permitted time for exclusive use of the image forming apparatus to print a single job (print time upper limit) on the screen shown in the drawing can be set and changed by a user using the ten-key pad 202. That is, in FIG. 4, 15 minutes is set as the time for exclusive use of the image forming apparatus to print a single job. For this reason when 15 minutes has elapsed after starting printing of a single job, the job is interrupted and printing of another job is started. This arrangement prevents delaying the printing of other jobs due to the continuous printing of a single job over a long time period.***

Takuwa, col. 4, lines 3-33 (emphasis added). A cursory review reveals that Takuwa mentions a maximum permitted time but mentions nothing of comparing an estimated time with that permitted time for any purpose whatsoever. The only comparison alluded to by Takuwa is a comparison of an actual elapsed time with the designated time.

While Lenz indicates that print job status information can include an estimated completion time, Lenz mentions nothing of using the estimated completion time in any form of comparison.

Consequently Lenz and Takuwa fail to teach or suggest a method that includes (e) comparing said estimated time duration with a previously determined threshold time duration, such that (f) if said estimated time duration exceeds said previously determined threshold time duration, then disabling processing of said processing job by said production device; otherwise (g) if said estimated time duration does not exceed said previously determined threshold time duration, then enabling processing of said processing job by said production device.

For at least this reason, Claim 1 patentable over the cited references as are Claims 2-25 due at least in part to their dependence from Claim 1.

**Claim 26** is directed to a destination service representing a production device that is operable to implement the method of Claim 1. For at least the same reasons Claim 1 is patentable over Lenz, so are Claim 26 and Claims 27-34 which depend from Claim 26.

**CLAIM REJECTIONS – 35 USC §103(a):**

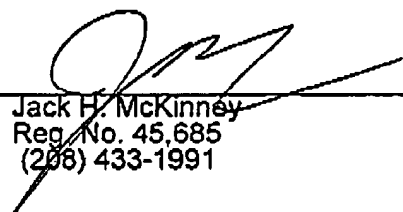
Claims 35-37 were rejected under § 103(a) as being anticipated by HiKIS (Office World News. "Hitachi Koki: Connecting the Future of Business", Ft. Lauderdale: June 2000. Vol. 28) in view of Takuwa. Claims 35-37 have been cancelled.

**CONCLUSION**

Claims 1-34 are felt to be in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited. The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,  
Shell S. Simpson, *et al.*

By

  
\_\_\_\_\_  
Jack H. McKinney  
Reg. No. 45,685  
(208) 433-1991

10/001,574  
Docket No. 10008249-1  
Response to Office Action  
Page 11